

I certify that the attached is a true and  
correct copy of HB 1888, which  
was filed of record on MAR 6 1989  
and referred to the committee on:  
Business / Commerce

*Betty Muncey*  
Chief Clerk of the House

1989 MAR 16 AM 11:23

HOUSE OF REPRESENTATIVES

FILED MAR 6 1989

By

*Grusendorf*  
Grusendorf

H.B. No. 1888

A BILL TO BE ENTITLED

AN ACT

relating to establishing the Texas Literacy Council as an advisory  
body in the department of commerce.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The legislature finds that:

(1) a skilled and literate work force is critically  
important to the welfare and economy of this state;

(2) one out of every five Texans lacks sufficient  
literacy skills to be successful in today's society;

(3) adult illiteracy presently costs the state more  
than \$17 billion each year through lost income, missed tax revenue,  
and the costs of welfare assistance, retraining programs, and crime  
and incarceration; and

(4) there is a critical need for a unified planning  
process and for a coordinating body appropriately located in state  
government to assist the diverse delivery systems in this area and  
to ensure that optimum use is made of public and private resources  
in this area.

SECTION 2. Subchapter B, Chapter 481, Government Code, as  
added by Senate Bill 223, 71st Legislature, Regular Session, 1989,  
is amended by adding Sections 481.025 and 481.026 to read as  
follows:

Sec. 481.025. TEXAS LITERACY COUNCIL. (a) The Texas  
Literacy Council is established as an adjunct to the department.

1       (b) The council consists of 17 members. The governor  
2 appoints nine members. The lieutenant governor appoints four  
3 members, of whom two must be members of the senate. The speaker of  
4 the house of representatives appoints four members, of whom two  
5 must be members of the house. Appointees shall be representative  
6 of business, industry, labor, education, organizations with  
7 expertise in literacy, and other areas of society with an interest  
8 in literacy. Members of the council serve for two-year terms. A  
9 member of the council who is absent for three consecutive meetings  
10 may be removed from the council.

11       (c) A member of the council may not receive compensation for  
12 service on the council but is entitled to reimbursement for actual  
13 and necessary expenses incurred in performing functions as a member  
14 of the council, subject to any applicable limitation on  
15 reimbursement provided by the General Appropriations Act.

16       (d) The governor shall designate the chair of the council  
17 from among the members. The council shall meet at least quarterly,  
18 and at other times at the call of the chair or as provided by rule  
19 of the council.

20       (e) The department shall provide office space and other  
21 necessities to the council, and shall provide staffing for the  
22 council at the request of the council. Other state agencies may  
23 provide staff assistance to the council at the request of the  
24 council.

25       Sec. 481.026. DUTIES OF LITERACY COUNCIL; INTERAGENCY WORK  
26 GROUP. (a) The Texas Literacy Council shall:

27               (1) advise the governor, the State Job Training

1 Coordinating Council, the State Board of Education, the Texas  
2 Higher Education Coordinating Board, and any group interested in  
3 literacy on policy, planning, research, and program development;

4 (2) coordinate the development and maintenance of a  
5 literacy services delivery system;

6 (3) oversee the attainment of the state's literacy  
7 goals;

8 (4) build a partnership with the private sector in  
9 order to inform the objectives-setting process and to gain  
10 acceptance of the services of a functional literacy program;

11 (5) provide state leadership to encourage and support  
12 local and statewide literacy efforts;

13 (6) advise the State Board of Education on needs,  
14 priorities, and standards of adult literacy education programs  
15 conducted in accordance with Section 11.18, Education Code;

16 (7) advocate the importance of literacy to ensure that  
17 all in need of assistance understand the benefits of increased  
18 functional literacy and to ensure that the necessary resources are  
19 available;

20 (8) make literacy instruction available to adults and  
21 out-of-school youth by ensuring that a comprehensive literacy  
22 instruction capacity is present in every Texas community;

23 (9) coordinate and improve local literacy instruction  
24 to ensure the most efficient and effective use of resources to meet  
25 adult education goals;

26 (10) identify state and local literacy programs and  
27 enter them in a directory for centralized referral and

1 communication;

2 (11) continue oversight of literacy needs analysis;

3 (12) continue to develop an awareness campaign;

4 (13) develop a timetable and objectives for reaching  
5 the proposed goals and subgoals; and

6 (14) make recommendations to the governor, lieutenant  
7 governor, and speaker of the house of representatives or other  
8 state officials or organizations that it considers appropriate  
9 regarding the expenditure of funds and the administration of  
10 programs.

11 (b) An interagency work group is created to advise the  
12 council. The advisory work group is composed of representatives  
13 from the Central Education Agency, Texas State Library and Archives  
14 Commission, Texas Higher Education Coordinating Board, Texas  
15 Employment Commission, Texas Department of Corrections, Texas  
16 Department of Human Services, Texas Rehabilitation Commission,  
17 Advisory Council for Technical Vocational Education, and State Job  
18 Training Coordinating Council.

19 (c) The council shall, with advice from the advisory work  
20 group, develop, adopt, and present to the 72nd Legislature a  
21 five-year strategic plan for comprehensive Texas literacy efforts.  
22 The plan must include:

23 (1) identification of all money from private, local,  
24 and federal sources available for investment in state and community  
25 literacy programs;

26 (2) proposals for acquiring local, state and federal  
27 money identified in A Guide to Adult Literacy Funds and Resources

1 to provide maximum support for state and community programs;

2 (3) proposals for coordination of state government  
3 resources, planning, and personnel among the agencies advising the  
4 council, to ensure, within budget constraints and consistent with  
5 existing missions, general access to state support services for  
6 community programs;

7 (4) identification of program shortages and gaps in  
8 service delivery, and proposals to establish a comprehensive  
9 service delivery system for all regions of the state and all target  
10 populations;

11 (5) an appropriate balance in recommended funding and  
12 support services for both adult literacy training and early student  
13 intervention, to ensure development of a continuum of literacy  
14 training services targeted at family needs;

15 (6) a discussion of evaluation tools used to measure  
16 student and program performance, in order to assure policymakers of  
17 concrete achievements and accountability for public funds; and

18 (7) other items that should be included in the  
19 judgment of the council.

20 (d) The council, with the assistance of its advisory work  
21 group, shall design a competitive request for proposal process to  
22 be used by the department when awarding literacy grants. The  
23 process shall include criteria for evaluating the proposals.

24 (e) The council may establish a Texas literacy trust fund  
25 for the purpose of collecting private funds for distribution to  
26 community literacy programs. The fund must meet all applicable  
27 requirements under state and federal law necessary for

1 qualification as a nonprofit trust. The department shall make  
2 literacy grants and disburse funds under guidelines set by the  
3 council.

4 SECTION 3. Section 11.18(b), Education Code, is amended to  
5 read as follows:

6 (b) The Central Education Agency shall:

7 (1) manage this program with adequate staffing to  
8 develop, administer, and support a comprehensive statewide adult  
9 education program and coordinate related federal and state programs  
10 for education and training of adults;

11 (2) develop, implement, and regulate a comprehensive  
12 statewide program for community level education services to meet  
13 the special needs of adults;

14 (3) develop the mechanism and guidelines for  
15 coordination of comprehensive adult education and related skill  
16 training services for adults with other agencies, both public and  
17 private, in planning, developing, and implementing related  
18 programs, including community education programs;

19 (4) administer all state and federal funds for adult  
20 education and related skill training in Texas, except in programs  
21 where another entity is specifically authorized to do so under  
22 other law;

23 (5) prescribe and administer standards and accrediting  
24 policies for adult education;

25 (6) prescribe and administer rules and regulations for  
26 teacher certification for adult education; and

27 (7) accept and administer grants, gifts, services, and

1 funds from available sources for use in adult education.

2 SECTION 4. The importance of this legislation and the  
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7 and that this Act take effect and be in force from and after its  
8 passage, and it is so enacted.

# HOUSE COMMITTEE REPORT

89 APR -5 PM 10: 26  
HOUSE OF REPRESENTATIVES

## 1st Printing

By Colbert, et al.

H.B. No. 1888

Substitute the following for H.B. No. 1888:

By Hilbert

C.S.H.B. No. 1888

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(2) one out of every five Texans lacks sufficient literacy skills to be successful in today's society;

(3) adult illiteracy presently costs the state more than \$17 billion each year through lost income, missed tax revenue, and the costs of welfare assistance, retraining programs, and crime and incarceration; and

(4) there is a critical need for a unified planning process and for a coordinating body appropriately located in state government to assist the diverse delivery systems in this area and to ensure that optimum use is made of public and private resources in this area.

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9 member of the council who is absent for three consecutive meetings  
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12 service on the council but is entitled to reimbursement for actual  
13 and necessary expenses incurred in performing functions as a member  
14 of the council, subject to any applicable limitation on  
15 reimbursement provided by the General Appropriations Act.

16       (d) The governor shall designate the chair of the council  
17 from among the members. The council shall meet at least quarterly,  
18 and at other times at the call of the chair or as provided by rule  
19 of the council.

20       (e) The department shall provide office space and other  
21 necessities to the council and shall provide staffing for the  
22 council at the request of the council. Other state agencies may  
23 provide staff assistance to the council at the request of the  
24 council.

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26 GROUP. (a) The Texas Literacy Council shall:

27           (1) advise the governor, the State Job Training

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4 (2) coordinate the development and maintenance of a  
5 literacy services delivery system;

6 (3) oversee the attainment of the state's literacy  
7 goals;

8 (4) build a partnership with the private sector in  
9 order to inform the objectives-setting process and to gain  
10 acceptance of the services of a functional literacy program;

11 (5) provide state leadership to encourage and support  
12 local and statewide literacy efforts;

13 (6) advise the State Board of Education on needs,  
14 priorities, and standards of adult literacy education programs  
15 conducted in accordance with Section 11.18, Education Code;

16 (7) advocate the importance of literacy to ensure that  
17 all in need of assistance understand the benefits of increased  
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19 available;

20 (8) make literacy instruction available to adults and  
21 out-of-school youth by ensuring that a comprehensive literacy  
22 instruction capacity is present in every Texas community;

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24 to ensure the most efficient and effective use of resources to meet  
25 adult education goals;

26 (10) identify state and local literacy programs and  
27 enter them in a directory for centralized referral and

1 communication;

2 (11) continue oversight of literacy needs analysis;

3 (12) continue to develop an awareness campaign;

4 (13) develop a timetable and objectives for reaching  
5 the proposed goals and subgoals; and

6 (14) make recommendations to the governor, lieutenant  
7 governor, and speaker of the house of representatives or other  
8 state officials or organizations that it considers appropriate  
9 regarding the expenditure of funds and the administration of  
10 programs.

11 (b) An interagency work group is created to advise the  
12 council. The advisory work group is composed of representatives  
13 from the Central Education Agency, Texas State Library and Archives  
14 Commission, Texas Higher Education Coordinating Board, Texas  
15 Employment Commission, Texas Department of Corrections, Texas  
16 Department of Human Services, Texas Rehabilitation Commission,  
17 Advisory Council for Technical Vocational Education, and State Job  
18 Training Coordinating Council.

19 (c) The council shall, with advice from the advisory work  
20 group, develop, adopt, and present to the 72nd Legislature a  
21 five-year strategic plan for comprehensive Texas literacy efforts.  
22 The plan must include:

23 (1) identification of all money from private, local,  
24 and federal sources available for investment in state and community  
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26 (2) proposals for acquiring local, state and federal  
27 money identified in A Guide to Adult Literacy Funds and Resources

1 to provide maximum support for state and community programs;

2 (3) proposals for coordination of state government  
3 resources, planning, and personnel among the agencies advising the  
4 council, to ensure, within budget constraints and consistent with  
5 existing missions, general access to state support services for  
6 community programs;

7 (4) identification of program shortages and gaps in  
8 service delivery, and proposals to establish a comprehensive  
9 service delivery system for all regions of the state and all target  
10 populations;

11 (5) an appropriate balance in recommended funding and  
12 support services for both adult literacy training and early student  
13 intervention, to ensure development of a continuum of literacy  
14 training services targeted at family needs;

15 (6) a discussion of evaluation tools used to measure  
16 student and program performance, in order to assure policymakers of  
17 concrete achievements and accountability for public funds; and

18 (7) other items that should be included in the  
19 judgment of the council.

20 (d) The department may award literacy grants out of state,  
21 local, federal, and private money available to the department for  
22 that purpose. Grants shall be awarded under guidelines set by the  
23 council. The guidelines shall include a competitive request for  
24 proposal process, designed by the council with the assistance of  
25 its advisory work group. The process shall include criteria for  
26 evaluating the proposals.

27 (e) The council may establish a Texas literacy trust fund

1 for the purpose of collecting private funds for distribution to  
 2 community literacy programs. The fund must meet all applicable  
 3 requirements under state and federal law necessary for  
 4 qualification as a nonprofit trust. The fund, if established,  
 5 shall be a separate fund kept and held in escrow and in trust by  
 6 the state treasurer for and on behalf of the council as funds held  
 7 outside the treasury under Section 404.073. Unless prohibited by  
 8 other law, the state treasurer may invest and reinvest the money,  
 9 pending its use, in the fund in investments authorized by law for  
 10 state funds that the state treasurer considers appropriate. The  
 11 department shall distribute money from the fund under guidelines  
 12 set by the council.

13 SECTION 3. Section 11.18(b), Education Code, is amended to  
 14 read as follows:

15 (b) The Central Education Agency shall:

16 (1) manage this program with adequate staffing to  
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 19 for education and training of adults;

20 (2) develop, implement, and regulate a comprehensive  
 21 statewide program for community level education services to meet  
 22 the special needs of adults;

23 (3) develop the mechanism and guidelines for  
 24 coordination of comprehensive adult education and related skill  
 25 training services for adults with other agencies, both public and  
 26 private, in planning, developing, and implementing related  
 27 programs, including community education programs;

1           (4) administer all state and federal funds for adult  
2 education and related skill training in Texas, except in programs  
3 where another entity is specifically authorized to do so under  
4 other law;

5           (5) prescribe and administer standards and accrediting  
6 policies for adult education;

7           (6) prescribe and administer rules and regulations for  
8 teacher certification for adult education; and

9           (7) accept and administer grants, gifts, services, and  
10 funds from available sources for use in adult education.

11         SECTION 4. (a) Each person who, on January 9, 1989, served  
12 as a member of the Texas Literacy Council, as created by Senate  
13 Concurrent Resolution 48, Acts of the 70th Legislature, Regular  
14 Session, 1987, is entitled to serve as a temporary member of the  
15 Texas Literacy Council, as established by this Act, until that  
16 person is replaced by a new appointment or reappointed by the  
17 appropriate appointing authority. In making each initial  
18 appointment under this Act, each appointing authority shall state  
19 whether the appointment is a reappointment of a temporary member, a  
20 replacement of a temporary member, or an appointment to a vacant  
21 position.

22         (b) The validity of an action of the council is not affected  
23 by the fact that it is taken while temporary members sit on the  
24 council.

25         SECTION 5. The importance of this legislation and the  
26 crowded condition of the calendars in both houses create an  
27 emergency and an imperative public necessity that the

1 constitutional rule requiring bills to be read on three several  
2 days in each house be suspended, and this rule is hereby suspended,  
3 and that this Act take effect and be in force from and after its  
4 passage, and it is so enacted.

# COMMITTEE REPORT

The Honorable Gib Lewis  
Speaker of the House of Representatives

3-28-89

(date)

Sir:

We, your COMMITTEE ON BUSINESS AND COMMERCE,

to whom was referred HB 1888 have had the same under consideration and beg to report  
(measure)

back with the recommendation that it

( ) do pass, without amendment.

( ) do pass, with amendment(s).

(✓) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. (✓) yes ( ) no

An actuarial analysis was requested. ( ) yes (✓) no

An author's fiscal statement was requested. ( ) yes (✓) no

A criminal justice policy impact statement was prepared. (✓) yes ( ) no

A water development policy impact statement was requested. ( ) yes (✓) no

(✓) The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars for placement on the ( ) Local, (✓) Consent, or ( ) Resolutions Calendar.

This measure ( ) proposes new law. ( ) amends existing law.

House Sponsor of Senate Measure \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Wolens, Ch.	X			
Dutton, V.C.	X			
Connelly, C.B.O.				X
Fraser				X
Gavin	X			
Hill, A.				X
Hilbert	X			
Horn	X			
Smithee				X

Total

5 aye

0 nay

0 present, not voting

4 absent

CHAIRMAN

COMMITTEE COORDINATOR



H.B. 1888  
By: Colbert  
C.S.H.B. 1888  
By: Hilbert

Committee on Business and Commerce

BILL ANALYSIS

BACKGROUND INFORMATION

The Texas Literacy Council was created by Senate Concurrent Resolution last session by the 70th Legislature. Without enabling legislation passed creating the structure of the Council and how it is to be run, the Council will cease to exist, thereby dispersing any concentrated state-wide effort in attacking the problems of illiteracy and its effects on Texas and its economy.

PURPOSE

C.S.H.B. 1888 creates new law by amending the Government Code and Education Code to create the Texas Literacy Council as part of the Texas Department of Commerce.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does delegate rulemaking authority to the Texas Literacy Council to establish rules on how it will be run.

SECTION BY SECTION ANALYSIS

SECTION 1. Contains legislative findings concerning literacy in Texas including findings that 1 out of 5 Texans lacks necessary literacy skills; that the lack of literacy is costly to the state of Texas; and that the need exists for a coordinated body to attack these problems on a statewide basis.

SECTION 2. Amends Chapter 481 of the Government Code by adding Sections 481.025 and 481.026.

Section 481.025 is as follows:

Section 481.025(a) establishes the Texas Literacy Council under the Texas Department of Commerce.

Section 481.025(b) contains the structure of the Council. It is to be made up of 17 members, 9 appointed by the governor, 4 by the lieutenant governor, 2 of which are from the Senate, and 4 by the speaker, with 2 of them being from the House. These members must have expertise in the area of literacy. Terms are to be two years and members can be removed for being absent 3 consecutive council meetings.

Section 481.025(c) states that members of the Council are not paid a salary but are compensated for actual and necessary expenses.

Section 481.025(d) allows the governor to designate the chair of the council and requires the council to meet at least quarterly and at all other times as established by rules of the Council.

Section 481.025(e) requires the Texas Department of Commerce to provide staff and equipment support for the Council.

Section 481.026 is as follows:

Section 481.026(a) establishes the duties of the Council, which include advising the governor and other state agencies interested in literacy on policy, planing, research and development, coordinating the development and maintenance of literacy services, overseeing the state's goals on literacy, working with the private sector, and several other duties as described in the Act.

Section 481.026(b) creates an interagency work group to work with the Council. This involves representatives from several state agencies involved in the literacy area.

Section 481.026(c) charges the interagency work group and the Council with presenting a 5 year plan to the 72nd Legislature for comprehensive literacy efforts in Texas. This plan must include identification of all money sources, proposals for

acquiring moneys, proposals for coordination of state government resources, identification of program shortages and gaps in service delivery, and proposals to fill those gaps, a showing of a balance of funding and support services for adult literacy training and early student intervention, a discussion of evaluation tools to measure student and program performance, and anything else necessary in the judgment of the Council.

Section 481.026(d) charges the Council and the advisory work group with designing a competitive request for proposal process to be used by Texas Department of Commerce in awarding grants dealing with literacy grants out of state, local, federal and private money.

Section 481.026(e) allows the Council to establish a trust fund to collect moneys for distribution to community literacy programs and to establish guidelines for their distribution that meet the requirements of state federal law applicable to nonprofit trusts. This fund is to be a separate fund held by the state treasurer and may be invested and reinvested as allowed under law. These funds can be distributed by the Department of Commerce under the guidelines set by the Council

SECTION 3. Amends Section 11.18(b)(4) of the Education Code to recognize that the Texas Literacy Council can administer state and federal funds for adult education outside of that power granted to the Central Education Agency under the Education Code.

SECTION 4. Allows each member of the Literacy Council who, on January 9, 1989, was a member of the Council, to serve as a temporary member of the Literacy Council as established by this Act, until he is replace or reappointed. Any action taken by the Council while there are temporary members on it is valid.

SECTION 5. Contains an emergency clause and makes the Act effective on passage.

#### SUMMARY OF COMMITTEE ACTION

Public notice was posted in accordance with Rule 4, Section 12, Rules and Procedures of the House of Representatives for a public hearing to be held on March 28, 1989.

The bill was heard in public hearing on March 28, 1989. There was no one present to testify for or against the bill. Representative Hilbert laid out the committee substitute and moved its adoption. There being no objection, the motion was adopted. Representative Hilbert moved that the bill, as substituted, be reported to the full House with the recommendation that it be placed on the Consent Calendar and that it do pass. The motion prevailed by a vote of 5 ayes, 0 nays, 0 PNV and 4 absent.

#### COMPARISON OF ORIGINAL BILL TO THE SUBSTITUTE

C.S.H.B. 1888 changed the original bill as follows:

(1) C.S.H.B. 1888 changed Sec. 421.026(d) under Section 2 of the original bill to clarify that it is the Department of Commerce and not he council that awards the literacy grants under the bill.

(2) C.S.H.B. 1888 changed Sec. 421.026(e) under Section 2 of the original bill by specifying that the Texas literacy trust fund was to be held by the state treasurer as a separate fund in escrow and that the fund could be invested and reinvested by the treasurer as allowed by law.

(3) C.S.H.B. 1888 added the provision to the as to current members sitting on the Texas Literacy Council acting as temporary members of the Council under this Act until replaced or reappointed.

2.

3

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

April 4, 1989

TO: Honorable Steven D. Wolens, Chair  
Committee on Business and Commerce  
House of Representatives  
Austin, Texas

In Re: Committee Substitute for  
House Bill No. 1888

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute for House Bill No. 1888 (relating to establishing the Texas Literacy Council as an advisory body in the department of commerce) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would establish the Texas Literacy Council as an adjunct to the Department of Commerce.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of Federal Funds</u>	<u>Change in Number of State Employees from FY 1989</u>
1990	\$250,000	+ 3
1991	250,000	+ 3
1992	250,000	+ 3
1993	250,000	+ 3
1994	250,000	+ 3

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Commerce;  
LBB Staff: JO, JWH, AL, PVT, CKM

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

March 27, 1989

TO: Honorable Steven D. Wolens, Chair  
Committee on Business and Commerce  
House of Representatives  
Austin, Texas

In Re: House Bill No. 1888  
By: Colbert, et. al.

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ADOPTED

APR 20 1989

*Betty Messing*  
Chief Clerk  
House of Representatives

By Colbert, et al.

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By *H. H. H. H.*

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(b) The council consists of 17 members. The governor appoints nine members. The lieutenant governor appoints four members, of whom two must be members of the senate. The speaker of the house of representatives appoints four members, of whom two must be members of the house. Appointees shall be representative of business, industry, labor, education, organizations with expertise in literacy, and other areas of society with an interest in literacy. Members of the council serve for two-year terms. A member of the council who is absent for three consecutive meetings may be removed from the council.

(c) A member of the council may not receive compensation for service on the council but is entitled to reimbursement for actual and necessary expenses incurred in performing functions as a member of the council, subject to any applicable limitation on reimbursement provided by the General Appropriations Act.

(d) The governor shall designate the chair of the council from among the members. The council shall meet at least quarterly, and at other times at the call of the chair or as provided by rule of the council.

(e) The department shall provide office space and other necessities to the council and shall provide staffing for the council at the request of the council. Other state agencies may provide staff assistance to the council at the request of the council.

Sec. 481.026. DUTIES OF LITERACY COUNCIL; INTERAGENCY WORK GROUP. (a) The Texas Literacy Council shall:

(1) advise the governor, the State Job Training

1 Coordinating Council, the State Board of Education, the Texas  
2 Higher Education Coordinating Board, and any group interested in  
3 literacy on policy, planning, research, and program development;

4 (2) coordinate the development and maintenance of a  
5 literacy services delivery system;

6 (3) oversee the attainment of the state's literacy  
7 goals;

8 (4) build a partnership with the private sector in  
9 order to inform the objectives-setting process and to gain  
10 acceptance of the services of a functional literacy program;

11 (5) provide state leadership to encourage and support  
12 local and statewide literacy efforts;

13 (6) advise the State Board of Education on needs,  
14 priorities, and standards of adult literacy education programs  
15 conducted in accordance with Section 11.18, Education Code;

16 (7) advocate the importance of literacy to ensure that  
17 all in need of assistance understand the benefits of increased  
18 functional literacy and to ensure that the necessary resources are  
19 available;

20 (8) make literacy instruction available to adults and  
21 out-of-school youth by ensuring that a comprehensive literacy  
22 instruction capacity is present in every Texas community;

23 (9) coordinate and improve local literacy instruction  
24 to ensure the most efficient and effective use of resources to meet  
25 adult education goals;

26 (10) identify state and local literacy programs and  
27 enter them in a directory for centralized referral and

1 communication;

2 (11) continue oversight of literacy needs analysis;

3 (12) continue to develop an awareness campaign;

4 (13) develop a timetable and objectives for reaching  
5 the proposed goals and subgoals; and

6 (14) make recommendations to the governor, lieutenant  
7 governor, and speaker of the house of representatives or other  
8 state officials or organizations that it considers appropriate  
9 regarding the expenditure of funds and the administration of  
10 programs.

11 (b) An interagency work group is created to advise the  
12 council. The advisory work group is composed of representatives  
13 from the Central Education Agency, Texas State Library and Archives  
14 Commission, Texas Higher Education Coordinating Board, Texas  
15 Employment Commission, Texas Department of Corrections, Texas  
16 Department of Human Services, Texas Rehabilitation Commission,  
17 Advisory Council for Technical Vocational Education, and State Job  
18 Training Coordinating Council.

19 (c) The council shall, with advice from the advisory work  
20 group, develop, adopt, and present to the 72nd Legislature a  
21 five-year strategic plan for comprehensive Texas literacy efforts.  
22 The plan must include:

23 (1) identification of all money from private, local,  
24 and federal sources available for investment in state and community  
25 literacy programs;

26 (2) proposals for acquiring local, state and federal  
27 money identified in A Guide to Adult Literacy Funds and Resources



1 to provide maximum support for state and community programs;

2 (3) proposals for coordination of state government  
3 resources, planning, and personnel among the agencies advising the  
4 council, to ensure, within budget constraints and consistent with  
5 existing missions, general access to state support services for  
6 community programs;

7 (4) identification of program shortages and gaps in  
8 service delivery, and proposals to establish a comprehensive  
9 service delivery system for all regions of the state and all target  
10 populations;

11 (5) an appropriate balance in recommended funding and  
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13 intervention, to ensure development of a continuum of literacy  
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15 (6) a discussion of evaluation tools used to measure  
16 student and program performance, in order to assure policymakers of  
17 concrete achievements and accountability for public funds; and

18 (7) other items that should be included in the  
19 judgment of the council.

20 (d) The department may award literacy grants out of state,  
21 local, federal, and private money available to the department for  
22 that purpose. Grants shall be awarded under guidelines set by the  
23 council. The guidelines shall include a competitive request for  
24 proposal process, designed by the council with the assistance of  
25 its advisory work group. The process shall include criteria for  
26 evaluating the proposals.

27 (e) The council may establish a Texas literacy trust fund

1 for the purpose of collecting private funds for distribution to  
2 community literacy programs. The fund must meet all applicable  
3 requirements under state and federal law necessary for  
4 qualification as a nonprofit trust. The fund, if established,  
5 shall be a separate fund kept and held in escrow and in trust by  
6 the state treasurer for and on behalf of the council as funds held  
7 outside the treasury under Section 404.073. Unless prohibited by  
8 other law, the state treasurer may invest and reinvest the money,  
9 pending its use, in the fund in investments authorized by law for  
10 state funds that the state treasurer considers appropriate. The  
11 department shall distribute money from the fund under guidelines  
12 set by the council.

13 SECTION 3. Section 11.18(b), Education Code, is amended to  
14 read as follows:

15 (b) The Central Education Agency shall:

16 (1) manage this program with adequate staffing to  
17 develop, administer, and support a comprehensive statewide adult  
18 education program and coordinate related federal and state programs  
19 for education and training of adults;

20 (2) develop, implement, and regulate a comprehensive  
21 statewide program for community level education services to meet  
22 the special needs of adults;

23 (3) develop the mechanism and guidelines for  
24 coordination of comprehensive adult education and related skill  
25 training services for adults with other agencies, both public and  
26 private, in planning, developing, and implementing related  
27 programs, including community education programs;

1           (4) administer all state and federal funds for adult  
2 education and related skill training in Texas, except in programs  
3 where another entity is specifically authorized to do so under  
4 other law;

5           (5) prescribe and administer standards and accrediting  
6 policies for adult education;

7           (6) prescribe and administer rules and regulations for  
8 teacher certification for adult education; and

9           (7) accept and administer grants, gifts, services, and  
10 funds from available sources for use in adult education.

11           SECTION 4. (a) Each person who, on January 9, 1989, served  
12 as a member of the Texas Literacy Council, as created by Senate  
13 Concurrent Resolution 48, Acts of the 70th Legislature, Regular  
14 Session, 1987, is entitled to serve as a temporary member of the  
15 Texas Literacy Council, as established by this Act, until that  
16 person is replaced by a new appointment or reappointed by the  
17 appropriate appointing authority. In making each initial  
18 appointment under this Act, each appointing authority shall state  
19 whether the appointment is a reappointment of a temporary member, a  
20 replacement of a temporary member, or an appointment to a vacant  
21 position.

22           (b) The validity of an action of the council is not affected  
23 by the fact that it is taken while temporary members sit on the  
24 council.

25           SECTION 5. The importance of this legislation and the  
26 crowded condition of the calendars in both houses create an  
27 emergency and an imperative public necessity that the

C.S.H.B. No. 1888

1 constitutional rule requiring bills to be read on three several  
2 days in each house be suspended, and this rule is hereby suspended,  
3 and that this Act take effect and be in force from and after its  
4 passage, and it is so enacted.

# HOUSE ENGROSSMENT

80 APR 20 PM 3:13  
HOUSE OF REPRESENTATIVES

By Colbert, et al.

H.B. No. 1888

## A BILL TO BE ENTITLED

### AN ACT

relating to establishing the Texas Literacy Council as an advisory body in the department of commerce.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The legislature finds that:

(1) a skilled and literate work force is critically important to the welfare and economy of this state;

(2) one out of every five Texans lacks sufficient literacy skills to be successful in today's society;

(3) adult illiteracy presently costs the state more than \$17 billion each year through lost income, missed tax revenue, and the costs of welfare assistance, retraining programs, and crime and incarceration; and

(4) there is a critical need for a unified planning process and for a coordinating body appropriately located in state government to assist the diverse delivery systems in this area and to ensure that optimum use is made of public and private resources in this area.

SECTION 2. Subchapter B, Chapter 481, Government Code, as added by Senate Bill 223, Acts of the 71st Legislature, Regular Session, 1989, is amended by adding Sections 481.025 and 481.026 to read as follows:

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16       (d) The governor shall designate the chair of the council  
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18 and at other times at the call of the chair or as provided by rule  
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21 necessities to the council and shall provide staffing for the  
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26 GROUP. (a) The Texas Literacy Council shall:

27           (1) advise the governor, the State Job Training

1 Coordinating Council, the State Board of Education, the Texas  
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H.B. No. 1888

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3 and that this Act take effect and be in force from and after its  
4 passage, and it is so enacted.

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

April 4, 1989

TO: Honorable Steven D. Wolens, Chair  
Committee on Business and Commerce  
House of Representatives  
Austin, Texas

In Re: Committee Substitute for  
House Bill No. 1888

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute for House Bill No. 1888 (relating to establishing the Texas Literacy Council as an advisory body in the department of commerce) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would establish the Texas Literacy Council as an adjunct to the Department of Commerce.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of Federal Funds</u>	<u>Change in Number of State Employees from FY 1989</u>
1990	\$250,000	+ 3
1991	250,000	+ 3
1992	250,000	+ 3
1993	250,000	+ 3
1994	250,000	+ 3

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Commerce;  
LBB Staff: JO, JWH, AL, PVT, CKM

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

March 27, 1989

TO: Honorable Steven D. Wolens, Chair  
Committee on Business and Commerce  
House of Representatives  
Austin, Texas

In Re: House Bill No. 1888  
By: Colbert, et. al.

FROM: Jim Oliver, Director

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Source: Department of Commerce;  
LBB Staff: JO, JWH, AL, PVT, CKM

REQUEST FOR LOCAL & UNCONTESTED CALENDAR  
PLACEMENT

Hon. Bill Sims, Chairman  
Administration Committee

Sir:

Notice is hereby given that HB 1888, by: Calbert/Krue  
was heard by the Committee on Education on May 10, 1989,  
and reported out with the recommendation that it be placed on the Local and Uncontested  
Calendar.

Sally Haenelt  
Clerk of the reporting committee

**IMPORTANT:** A COPY OF THIS FORM MUST BE ATTACHED TO A PRINTED COPY OF  
THE BILL OR RESOLUTION, WHICH ALONG WITH 14 ADDITIONAL COPIES OF THE  
BILL OR RESOLUTION SHOULD BE DELIVERED TO THE OFFICE OF THE  
COMMITTEE ON ADMINISTRATION, ROOM 419. PLEASE CALL 3-0350 IF YOU HAVE  
ANY QUESTIONS. **DEADLINE FOR SUBMITTING BILLS FOR THE LOCAL CALENDAR**  
**IS 5:00 P.M. FRIDAY.**

# SENATE FAVORABLY AS SUBSTITUTED COMMITTEE REPORT

Lt. Governor William P. Hobby  
President of the Senate

5/10/89  
(date)/(time)

Sir:

We, your Committee on EDUCATION to which was referred  
CSHB 1888 by Colbert/Krue have on 5/10, 1989, had the same  
(measure) (sponsor) (hearing date)

under consideration and I am instructed to report it back with the recommendation (s) that it

- ☒ do pass as substituted, and be printed  
☐ the caption remained the same as original measure  
☐ the caption changed with adoption of the substitute

☐ do pass as substituted, and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

Senate Sponsor of House Measure \_\_\_\_\_

The measure was reported from Committee by the following vote:

	YEA	NAY	PNV	ABSENT
Parker, Chairman	<input checked="" type="checkbox"/>			
Truan, Vice Chairman	<input checked="" type="checkbox"/>			
Barrientos	<input checked="" type="checkbox"/>			
Brooks	<input checked="" type="checkbox"/>			
Edwards	<input checked="" type="checkbox"/>			
Green				
Haley	<input checked="" type="checkbox"/>			
Johnson	<input checked="" type="checkbox"/>			
Krier	<input checked="" type="checkbox"/>			
Uribe	<input checked="" type="checkbox"/>			
Zaffirini	<input checked="" type="checkbox"/>			
TOTAL VOTES	10			1

Sally Harker  
COMMITTEE CLERK

Carl Parker  
CHAIRMAN

Paper clip the original and one copy of this form along with TWO copies of the Committee Substitute to the original bill and retain one copy for Reporting Committee file.



1 By: Colbert, et al. (Senate Sponsor - Krier) H.B. No. 1888  
2 (In the Senate - Received from the House April 21, 1989;  
3 April 24, 1989, read first time and referred to Committee on  
4 Education; May 10, 1989, reported adversely, with favorable  
5 Committee Substitute by the following vote: Yeas 10, Nays 0;  
6 May 10, 1989, sent to printer.)

7 COMMITTEE VOTE

	Yea	Nay	PNV	Absent
8 Parker	x			
9 Truan	x			
10 Barrientos	x			
11 Brooks	x			
12 Edwards	x			
13 Green				x
14 Haley	x			
15 Johnson	x			
16 Krier	x			
17 Uribe	x			
18 Zaffirini	x			

20 COMMITTEE SUBSTITUTE FOR H.B. No. 1888

By: Krier

21 A BILL TO BE ENTITLED  
22 AN ACT

23 relating to establishing the Texas Literacy Council as an advisory  
24 body in the department of commerce.

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52 expertise in literacy, and other areas of society with an interest  
53 in literacy. Members of the council who are not members of the  
54 legislature are officers of the public school system for purposes  
55 of Article VII, Section 16, of the Texas Constitution, as added in  
56 1928. Members appointed by the governor serve staggered six-year  
57 terms with the terms of three members expiring February 1 of each  
58 odd-numbered year. Members appointed by the lieutenant governor or  
59 the speaker of the house of representatives who are not members of  
60 the legislature serve staggered four-year terms, with the terms of  
61 one member appointed by the lieutenant governor and of one member  
62 appointed by the speaker expiring February 1 of each odd-numbered  
63 year. Members who are members of the legislature serve as ex  
64 officio members for two-year terms. If a member who is a member of  
65 the legislature ceases to be a member of the house from which the

member was appointed, that membership position on the council becomes vacant. A member of the council who is absent for three consecutive meetings may be removed from the council.

(c) A member of the council may not receive compensation for service on the council but is entitled to reimbursement for actual and necessary expenses incurred in performing functions as a member of the council, subject to any applicable limitation on reimbursement provided by the General Appropriations Act. An ex officio member of the council shall receive reimbursement for actual and necessary expenses under the rules of the member's office.

(d) The governor shall designate the chair of the council from among the members. The council shall meet at least quarterly, and at other times at the call of the chair or as provided by rule of the council.

(e) The department shall provide office space and other necessities to the council and shall provide staffing for the council at the request of the council. Other state agencies may provide staff assistance to the council at the request of the council.

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(1) advise the governor, the State Job Training Coordinating Council, the State Board of Education, the Texas Higher Education Coordinating Board, and any group interested in literacy on policy, planning, research, and program development;

(2) coordinate the development and maintenance of a literacy services delivery system;

(3) oversee the attainment of the state's literacy goals;

(4) build a partnership with the private sector in order to inform the objectives-setting process and to gain acceptance of the services of a functional literacy program;

(5) provide state leadership to encourage and support local and statewide literacy efforts;

(6) advise the State Board of Education on needs, priorities, and standards of adult literacy education programs conducted in accordance with Section 11.18, Education Code;

(7) advocate the importance of literacy to ensure that all in need of assistance understand the benefits of increased functional literacy and to ensure that the necessary resources are available;

(8) make literacy instruction available to adults and out-of-school youth by ensuring that a comprehensive literacy instruction capacity is present in every Texas community;

(9) coordinate and improve local literacy instruction to ensure the most efficient and effective use of resources to meet adult education goals;

(10) identify state and local literacy programs and enter them in a directory for centralized referral and communication;

(11) continue oversight of literacy needs analysis;

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(13) develop a timetable and objectives for reaching the proposed goals and subgoals; and

(14) make recommendations to the governor, lieutenant governor, and speaker of the house of representatives or other state officials or organizations that it considers appropriate regarding the expenditure of funds and the administration of programs.

(b) An interagency work group is created to advise the council. The advisory work group is composed of representatives from the Central Education Agency, Texas State Library and Archives Commission, Texas Higher Education Coordinating Board, Texas Employment Commission, Texas Department of Corrections, Texas Department of Human Services, Texas Rehabilitation Commission, Advisory Council for Technical Vocational Education, and State Job Training Coordinating Council.

(c) The council shall, with advice from the advisory work group, develop, adopt, and present to the 72nd Legislature a

1 five-year strategic plan for comprehensive Texas literacy efforts.  
 2 The plan must include:

3 (1) identification of all money from private, local,  
 4 and federal sources available for investment in state and community  
 5 literacy programs;

6 (2) proposals for acquiring local, state, and federal  
 7 money identified in A Guide to Adult Literacy Funds and Resources  
 8 to provide maximum support for state and community programs;

9 (3) proposals for coordination of state government  
 10 resources, planning, and personnel among the agencies advising the  
 11 council, to ensure, within budget constraints and consistent with  
 12 existing missions, general access to state support services for  
 13 community programs;

14 (4) identification of program shortages and gaps in  
 15 service delivery, and proposals to establish a comprehensive  
 16 service delivery system for all regions of the state and all target  
 17 populations;

18 (5) an appropriate balance in recommended funding and  
 19 support services for both adult literacy training and early student  
 20 intervention, to ensure development of a continuum of literacy  
 21 training services targeted at family needs;

22 (6) a discussion of evaluation tools used to measure  
 23 student and program performance, in order to assure policymakers of  
 24 concrete achievements and accountability for public funds; and

25 (7) other items that should be included in the  
 26 judgment of the council.

27 (d) The department may award literacy grants out of state,  
 28 local, federal, and private money available to the department for  
 29 that purpose. Grants shall be awarded under guidelines set by the  
 30 council. The guidelines shall include a competitive request for  
 31 proposal process, designed by the council with the assistance of  
 32 its advisory work group. The process shall include criteria for  
 33 evaluating the proposals.

34 (e) The council may establish a Texas literacy trust fund  
 35 for the purpose of collecting private funds for distribution to  
 36 community literacy programs. The fund must meet all applicable  
 37 requirements under state and federal law necessary for  
 38 qualification as a nonprofit trust. The fund, if established,  
 39 shall be a separate fund kept and held in escrow and in trust by  
 40 the state treasurer for and on behalf of the council as funds held  
 41 outside the treasury under Section 404.073. Unless prohibited by  
 42 other law, the state treasurer may invest and reinvest the money,  
 43 pending its use, in the fund in investments authorized by law for  
 44 state funds that the state treasurer considers appropriate. The  
 45 department shall distribute money from the fund under guidelines  
 46 set by the council.

47 SECTION 3. Section 11.18(b), Education Code, is amended to  
 48 read as follows:

49 (b) The Central Education Agency shall:

50 (1) manage this program with adequate staffing to  
 51 develop, administer, and support a comprehensive statewide adult  
 52 education program and coordinate related federal and state programs  
 53 for education and training of adults;

54 (2) develop, implement, and regulate a comprehensive  
 55 statewide program for community level education services to meet  
 56 the special needs of adults;

57 (3) develop the mechanism and guidelines for  
 58 coordination of comprehensive adult education and related skill  
 59 training services for adults with other agencies, both public and  
 60 private, in planning, developing, and implementing related  
 61 programs, including community education programs;

62 (4) administer all state and federal funds for adult  
 63 education and related skill training in Texas, except in programs  
 64 where another entity is specifically authorized to do so under  
 65 other law;

66 (5) prescribe and administer standards and accrediting  
 67 policies for adult education;

68 (6) prescribe and administer rules and regulations for  
 69 teacher certification for adult education; and

70 (7) accept and administer grants, gifts, services, and

1 funds from available sources for use in adult education.

2 SECTION 4. (a) In making initial appointments to the Texas  
3 Literacy Council, as established by this Act, the governor shall  
4 appoint three members to terms that expire on February 1, 1991,  
5 three members to terms that expire on February 1, 1993, and three  
6 members to terms that expire on February 1, 1995. The lieutenant  
7 governor and the speaker of the house shall each appoint two ex  
8 officio members and one other member to terms that expire on  
9 February 1, 1991. The lieutenant governor and the speaker of the  
10 house shall each appoint one other member for a term expiring  
11 February 1, 1993.

12 (b) Each person who, on January 9, 1989, served as a member  
13 of the Texas Literacy Council, as created by Senate Concurrent  
14 Resolution 48, Acts of the 70th Legislature, Regular Session, 1987,  
15 is entitled to serve as a temporary member of the Texas Literacy  
16 Council, as established by this Act, until that person is replaced  
17 by a new appointment or reappointed by the appropriate appointing  
18 authority. In making each initial appointment under this Act, each  
19 appointing authority shall state the length of the term under  
20 Subsection (a) of this section and whether the appointment is a  
21 reappointment of a temporary member, a replacement of a temporary  
22 member, or an appointment to a vacant position.

23 (c) The validity of an action of the council is not affected  
24 by the fact that it is taken while temporary members sit on the  
25 council.

26 SECTION 5. The importance of this legislation and the  
27 crowded condition of the calendars in both houses create an  
28 emergency and an imperative public necessity that the  
29 constitutional rule requiring bills to be read on three several  
30 days in each house be suspended, and this rule is hereby suspended,  
31 and that this Act take effect and be in force from and after its  
32 passage, and it is so enacted.

33 \* \* \* \* \*

34 Austin, Texas  
35 May 10, 1989

36 Hon. William P. Hobby  
37 President of the Senate

38 Sir:

39 We, your Committee on Education to which was referred H.B. No.  
40 1888, have had the same under consideration, and I am instructed to  
41 report it back to the Senate with the recommendation that it do not  
42 pass, but that the Committee Substitute adopted in lieu thereof do  
43 pass and be printed.

44 Parker, Chairman

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

April 25, 1989

APR 25 REC'D

TO: Honorable Carl A. Parker, Chairman  
Committee on Education  
Senate Chamber  
Austin, Texas

In Re: House Bill No. 1888,  
as engrossed  
By: Colbert, et. al.

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 1888, as engrossed (relating to establishing the Texas Literacy Council as an advisory body in the department of commerce) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would establish the Texas Literacy Council as an adjunct to the Department of Commerce.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of Federal Funds</u>	<u>Change in Number of State Employees from FY 1989</u>
1990	\$250,000	+ 3
1991	250,000	+ 3
1992	250,000	+ 3
1993	250,000	+ 3
1994	250,000	+ 3

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Commerce;  
LBB Staff: JO, JWH, AL, PVT, PA

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

April 4, 1989

TO: Honorable Steven D. Wolens, Chair  
Committee on Business and Commerce  
House of Representatives  
Austin, Texas

In Re: Committee Substitute for  
House Bill No. 1888

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute for House Bill No. 1888 (relating to establishing the Texas Literacy Council as an advisory body in the department of commerce) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would establish the Texas Literacy Council as an adjunct to the Department of Commerce.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

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1992	250,000	+ 3
1993	250,000	+ 3
1994	250,000	+ 3

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Commerce;  
LBB Staff: JO, JWH, AL, PVT, CKM

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

March 27, 1989

TO: Honorable Steven D. Wolens, Chair  
Committee on Business and Commerce  
House of Representatives  
Austin, Texas

In Re: House Bill No. 1888  
By: Colbert, et. al.

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 1888 (relating to establishing the Texas Literacy Council as an advisory body in the department of commerce) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would establish the Texas Literacy Council as an adjunct to the Department of Commerce.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of Federal Funds</u>	<u>Change in Number of State Employees from FY 1989</u>
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Similar annual costs would continue as long as the provisions fo the bill are in effect.

No fiscal implication to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Commerce;  
LBB Staff: JO, JWH, AL, PVT, CKM

By Colbert, et al.

H.B. No. 1888

Substitute the following for H.B. No. 1888:

By Kuer

C.S.H.B. No. 1888

A BILL TO BE ENTITLED

AN ACT

relating to establishing the Texas Literacy Council as an advisory body in the department of commerce.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The legislature finds that:

(1) a skilled and literate work force is critically important to the welfare and economy of this state;

(2) one out of every five Texans lacks sufficient literacy skills to be successful in today's society;

(3) adult illiteracy presently costs the state more than \$17 billion each year through lost income, missed tax revenue, and the costs of welfare assistance, retraining programs, and crime and incarceration; and

(4) there is a critical need for a unified planning process and for a coordinating body appropriately located in state government to assist the diverse delivery systems in this area and to ensure that optimum use is made of public and private resources in this area.

SECTION 2. Subchapter B, Chapter 481, Government Code, as added by Senate Bill 223, Acts of the 71st Legislature, Regular Session, 1989, is amended by adding Sections 481.025 and 481.026 to read as follows:

Sec. 481.025. TEXAS LITERACY COUNCIL. (a) The Texas Literacy Council is established as an adjunct to the department.

**ADOPTED**

MAY 17 1989

*Harry King*  
Secretary of the Senate



1        (b) The council consists of 17 members. The governor  
2        appoints nine members. The lieutenant governor appoints four  
3        members, two of whom must be members of the senate. The speaker of  
4        the house of representatives appoints four members, two of whom  
5        must be members of the house. Appointees shall be representative  
6        of business, industry, labor, education, organizations with  
7        expertise in literacy, and other areas of society with an interest  
8        in literacy. Members of the council who are not members of the  
9        legislature are officers of the public school system for purposes  
10       of Article VII, Section 16, of the Texas Constitution, as added in  
11       1928. Members appointed by the governor serve staggered six-year  
12       terms with the terms of three members expiring February 1 of each  
13       odd-numbered year. Members appointed by the lieutenant governor or  
14       the speaker of the house of representatives who are not members of  
15       the legislature serve staggered four-year terms, with the terms of  
16       one member appointed by the lieutenant governor and of one member  
17       appointed by the speaker expiring February 1 of each odd-numbered  
18       year. Members who are members of the legislature serve as ex  
19       officio members for two-year terms. If a member who is a member of  
20       the legislature ceases to be a member of the house from which the  
21       member was appointed, that membership position on the council  
22       becomes vacant. A member of the council who is absent for three  
23       consecutive meetings may be removed from the council.

24       (c) A member of the council may not receive compensation for  
25       service on the council but is entitled to reimbursement for actual  
26       and necessary expenses incurred in performing functions as a member  
27       of the council, subject to any applicable limitation on

1 reimbursement provided by the General Appropriations Act. An ex  
 2 officio member of the council shall receive reimbursement for  
 3 actual and necessary expenses under the rules of the member's  
 4 office.

5 (d) The governor shall designate the chair of the council  
 6 from among the members. The council shall meet at least quarterly,  
 7 and at other times at the call of the chair or as provided by rule  
 8 of the council.

9 (e) The department shall provide office space and other  
 10 necessities to the council and shall provide staffing for the  
 11 council at the request of the council. Other state agencies may  
 12 provide staff assistance to the council at the request of the  
 13 council.

14 Sec. 481.026. DUTIES OF LITERACY COUNCIL; INTERAGENCY WORK  
 15 GROUP. (a) The Texas Literacy Council shall:

16 (1) advise the governor, the State Job Training  
 17 Coordinating Council, the State Board of Education, the Texas  
 18 Higher Education Coordinating Board, and any group interested in  
 19 literacy on policy, planning, research, and program development;

20 (2) coordinate the development and maintenance of a  
 21 literacy services delivery system;

22 (3) oversee the attainment of the state's literacy  
 23 goals;

24 (4) build a partnership with the private sector in  
 25 order to inform the objectives-setting process and to gain  
 26 acceptance of the services of a functional literacy program;

27 (5) provide state leadership to encourage and support

1 local and statewide literacy efforts;

2 (6) advise the State Board of Education on needs,  
3 priorities, and standards of adult literacy education programs  
4 conducted in accordance with Section 11.18, Education Code;

5 (7) advocate the importance of literacy to ensure that  
6 all in need of assistance understand the benefits of increased  
7 functional literacy and to ensure that the necessary resources are  
8 available;

9 (8) make literacy instruction available to adults and  
10 out-of-school youth by ensuring that a comprehensive literacy  
11 instruction capacity is present in every Texas community;

12 (9) coordinate and improve local literacy instruction  
13 to ensure the most efficient and effective use of resources to meet  
14 adult education goals;

15 (10) identify state and local literacy programs and  
16 enter them in a directory for centralized referral and  
17 communication;

18 (11) continue oversight of literacy needs analysis;

19 (12) continue to develop an awareness campaign;

20 (13) develop a timetable and objectives for reaching  
21 the proposed goals and subgoals; and

22 (14) make recommendations to the governor, lieutenant  
23 governor, and speaker of the house of representatives or other  
24 state officials or organizations that it considers appropriate  
25 regarding the expenditure of funds and the administration of  
26 programs.

27 (b) An interagency work group is created to advise the

1 council. The advisory work group is composed of representatives  
2 from the Central Education Agency, Texas State Library and Archives  
3 Commission, Texas Higher Education Coordinating Board, Texas  
4 Employment Commission, Texas Department of Corrections, Texas  
5 Department of Human Services, Texas Rehabilitation Commission,  
6 Advisory Council for Technical Vocational Education, and State Job  
7 Training Coordinating Council.

8 (c) The council shall, with advice from the advisory work  
9 group, develop, adopt, and present to the 72nd Legislature a  
10 five-year strategic plan for comprehensive Texas literacy efforts.  
11 The plan must include:

12 (1) identification of all money from private, local,  
13 and federal sources available for investment in state and community  
14 literacy programs;

15 (2) proposals for acquiring local, state, and federal  
16 money identified in A Guide to Adult Literacy Funds and Resources  
17 to provide maximum support for state and community programs;

18 (3) proposals for coordination of state government  
19 resources, planning, and personnel among the agencies advising the  
20 council, to ensure, within budget constraints and consistent with  
21 existing missions, general access to state support services for  
22 community programs;

23 (4) identification of program shortages and gaps in  
24 service delivery, and proposals to establish a comprehensive  
25 service delivery system for all regions of the state and all target  
26 populations;

27 (5) an appropriate balance in recommended funding and

1 support services for both adult literacy training and early student  
2 intervention, to ensure development of a continuum of literacy  
3 training services targeted at family needs;

4 (6) a discussion of evaluation tools used to measure  
5 student and program performance, in order to assure policymakers of  
6 concrete achievements and accountability for public funds; and

7 (7) other items that should be included in the  
8 judgment of the council.

9 (d) The department may award literacy grants out of state,  
10 local, federal, and private money available to the department for  
11 that purpose. Grants shall be awarded under guidelines set by the  
12 council. The guidelines shall include a competitive request for  
13 proposal process, designed by the council with the assistance of  
14 its advisory work group. The process shall include criteria for  
15 evaluating the proposals.

16 (e) The council may establish a Texas literacy trust fund  
17 for the purpose of collecting private funds for distribution to  
18 community literacy programs. The fund must meet all applicable  
19 requirements under state and federal law necessary for  
20 qualification as a nonprofit trust. The fund, if established,  
21 shall be a separate fund kept and held in escrow and in trust by  
22 the state treasurer for and on behalf of the council as funds held  
23 outside the treasury under Section 404.073. Unless prohibited by  
24 other law, the state treasurer may invest and reinvest the money,  
25 pending its use, in the fund in investments authorized by law for  
26 state funds that the state treasurer considers appropriate. The  
27 department shall distribute money from the fund under guidelines

1 set by the council.

2 SECTION 3. Section 11.18(b), Education Code, is amended to  
3 read as follows:

4 (b) The Central Education Agency shall:

5 (1) manage this program with adequate staffing to  
6 develop, administer, and support a comprehensive statewide adult  
7 education program and coordinate related federal and state programs  
8 for education and training of adults;

9 (2) develop, implement, and regulate a comprehensive  
10 statewide program for community level education services to meet  
11 the special needs of adults;

12 (3) develop the mechanism and guidelines for  
13 coordination of comprehensive adult education and related skill  
14 training services for adults with other agencies, both public and  
15 private, in planning, developing, and implementing related  
16 programs, including community education programs;

17 (4) administer all state and federal funds for adult  
18 education and related skill training in Texas, except in programs  
19 where another entity is specifically authorized to do so under  
20 other law;

21 (5) prescribe and administer standards and accrediting  
22 policies for adult education;

23 (6) prescribe and administer rules and regulations for  
24 teacher certification for adult education; and

25 (7) accept and administer grants, gifts, services, and  
26 funds from available sources for use in adult education.

27 SECTION 4. (a) In making initial appointments to the Texas

1 Literacy Council, as established by this Act, the governor shall  
2 appoint three members to terms that expire on February 1, 1991,  
3 three members to terms that expire on February 1, 1993, and three  
4 members to terms that expire on February 1, 1995. The lieutenant  
5 governor and the speaker of the house shall each appoint two ex  
6 officio members and one other member to terms that expire on  
7 February 1, 1991. The lieutenant governor and the speaker of the  
8 house shall each appoint one other member for a term expiring  
9 February 1, 1993.

10 (b) Each person who, on January 9, 1989, served as a member  
11 of the Texas Literacy Council, as created by Senate Concurrent  
12 Resolution 48, Acts of the 70th Legislature, Regular Session, 1987,  
13 is entitled to serve as a temporary member of the Texas Literacy  
14 Council, as established by this Act, until that person is replaced  
15 by a new appointment or reappointed by the appropriate appointing  
16 authority. In making each initial appointment under this Act, each  
17 appointing authority shall state the length of the term under  
18 Subsection (a) of this section and whether the appointment is a  
19 reappointment of a temporary member, a replacement of a temporary  
20 member, or an appointment to a vacant position.

21 (c) The validity of an action of the council is not affected  
22 by the fact that it is taken while temporary members sit on the  
23 council.

24 SECTION 5. The importance of this legislation and the  
25 crowded condition of the calendars in both houses create an  
26 emergency and an imperative public necessity that the  
27 constitutional rule requiring bills to be read on three several

C.S.H.B. No. 1888

1 days in each house be suspended, and this rule is hereby suspended,  
2 and that this Act take effect and be in force from and after its  
3 passage, and it is so enacted.



89 MAY 17 PM 8:01  
HOUSE OF REPRESENTATIVES

# SENATE AMENDMENTS

## 2nd Printing

By Colbert, et al.

H.B. No. 1888

### A BILL TO BE ENTITLED

#### AN ACT

relating to establishing the Texas Literacy Council as an advisory body in the department of commerce.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The legislature finds that:

(1) a skilled and literate work force is critically important to the welfare and economy of this state;

(2) one out of every five Texans lacks sufficient literacy skills to be successful in today's society;

(3) adult illiteracy presently costs the state more than \$17 billion each year through lost income, missed tax revenue, and the costs of welfare assistance, retraining programs, and crime and incarceration; and

(4) there is a critical need for a unified planning process and for a coordinating body appropriately located in state government to assist the diverse delivery systems in this area and to ensure that optimum use is made of public and private resources in this area.

SECTION 2. Subchapter B, Chapter 481, Government Code, as added by Senate Bill 223, Acts of the 71st Legislature, Regular Session, 1989, is amended by adding Sections 481.025 and 481.026 to read as follows:

Sec. 481.025. TEXAS LITERACY COUNCIL. (a) The Texas Literacy Council is established as an adjunct to the department.

1        (b) The council consists of 17 members. The governor  
2        appoints nine members. The lieutenant governor appoints four  
3        members, two of whom must be members of the senate. The speaker of  
4        the house of representatives appoints four members, two of whom  
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6        of business, industry, labor, education, organizations with  
7        expertise in literacy, and other areas of society with an interest  
8        in literacy. Members of the council serve for two-year terms. A  
9        member of the council who is absent for three consecutive meetings  
10       may be removed from the council.

11       (c) A member of the council may not receive compensation for  
12       service on the council but is entitled to reimbursement for actual  
13       and necessary expenses incurred in performing functions as a member  
14       of the council, subject to any applicable limitation on  
15       reimbursement provided by the General Appropriations Act.

16       (d) The governor shall designate the chair of the council  
17       from among the members. The council shall meet at least quarterly,  
18       and at other times at the call of the chair or as provided by rule  
19       of the council.

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21       necessities to the council and shall provide staffing for the  
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23       provide staff assistance to the council at the request of the  
24       council.

25       Sec. 481.026. DUTIES OF LITERACY COUNCIL; INTERAGENCY WORK  
26       GROUP. (a) The Texas Literacy Council shall:

27                (1) advise the governor, the State Job Training

1 Coordinating Council, the State Board of Education, the Texas  
2 Higher Education Coordinating Board, and any group interested in  
3 literacy on policy, planning, research, and program development;

4 (2) coordinate the development and maintenance of a  
5 literacy services delivery system;

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 8 other law, the state treasurer may invest and reinvest the money,  
 9 pending its use, in the fund in investments authorized by law for  
 10 state funds that the state treasurer considers appropriate. The  
 11 department shall distribute money from the fund under guidelines  
 12 set by the council.

13 SECTION 3. Section 11.18(b), Education Code, is amended to  
 14 read as follows:

15 (b) The Central Education Agency shall:

16 (1) manage this program with adequate staffing to  
 17 develop, administer, and support a comprehensive statewide adult  
 18 education program and coordinate related federal and state programs  
 19 for education and training of adults;

20 (2) develop, implement, and regulate a comprehensive  
 21 statewide program for community level education services to meet  
 22 the special needs of adults;

23 (3) develop the mechanism and guidelines for  
 24 coordination of comprehensive adult education and related skill  
 25 training services for adults with other agencies, both public and  
 26 private, in planning, developing, and implementing related  
 27 programs, including community education programs;

1           (4) administer all state and federal funds for adult  
2 education and related skill training in Texas, except in programs  
3 where another entity is specifically authorized to do so under  
4 other law;

5           (5) prescribe and administer standards and accrediting  
6 policies for adult education;

7           (6) prescribe and administer rules and regulations for  
8 teacher certification for adult education; and

9           (7) accept and administer grants, gifts, services, and  
10 funds from available sources for use in adult education.

11         SECTION 4. (a) Each person who, on January 9, 1989, served  
12 as a member of the Texas Literacy Council, as created by Senate  
13 Concurrent Resolution 48, Acts of the 70th Legislature, Regular  
14 Session, 1987, is entitled to serve as a temporary member of the  
15 Texas Literacy Council, as established by this Act, until that  
16 person is replaced by a new appointment or reappointed by the  
17 appropriate appointing authority. In making each initial  
18 appointment under this Act, each appointing authority shall state  
19 whether the appointment is a reappointment of a temporary member, a  
20 replacement of a temporary member, or an appointment to a vacant  
21 position.

22         (b) The validity of an action of the council is not affected  
23 by the fact that it is taken while temporary members sit on the  
24 council.

25         SECTION 5. The importance of this legislation and the  
26 crowded condition of the calendars in both houses create an  
27 emergency and an imperative public necessity that the

H.B. No. 1888

1 constitutional rule requiring bills to be read on three several  
2 days in each house be suspended, and this rule is hereby suspended,  
3 and that this Act take effect and be in force from and after its  
4 passage, and it is so enacted.



By Colbert, et al.

H.B. No. 1888

SENATE AMENDMENT NO. 1

By Krier

C.S.H.B. No. 1888

A BILL TO BE ENTITLED

AN ACT

relating to establishing the Texas Literacy Council as an advisory body in the department of commerce.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The legislature finds that:

(1) a skilled and literate work force is critically important to the welfare and economy of this state;

(2) one out of every five Texans lacks sufficient literacy skills to be successful in today's society;

(3) adult illiteracy presently costs the state more than \$17 billion each year through lost income, missed tax revenue, and the costs of welfare assistance, retraining programs, and crime and incarceration; and

(4) there is a critical need for a unified planning process and for a coordinating body appropriately located in state government to assist the diverse delivery systems in this area and to ensure that optimum use is made of public and private resources in this area.

SECTION 2. Subchapter B, Chapter 481, Government Code, as added by Senate Bill 223, Acts of the 71st Legislature, Regular Session, 1989, is amended by adding Sections 481.025 and 481.026 to read as follows:

Sec. 481.025. TEXAS LITERACY COUNCIL. (a) The Texas Literacy Council is established as an adjunct to the department.

1        (b) The council consists of 17 members. The governor  
2 appoints nine members. The lieutenant governor appoints four  
3 members, two of whom must be members of the senate. The speaker of  
4 the house of representatives appoints four members, two of whom  
5 must be members of the house. Appointees shall be representative  
6 of business, industry, labor, education, organizations with  
7 expertise in literacy, and other areas of society with an interest  
8 in literacy. Members of the council who are not members of the  
9 legislature are officers of the public school system for purposes  
10 of Article VII, Section 16, of the Texas Constitution, as added in  
11 1928. Members appointed by the governor serve staggered six-year  
12 terms with the terms of three members expiring February 1 of each  
13 odd-numbered year. Members appointed by the lieutenant governor or  
14 the speaker of the house of representatives who are not members of  
15 the legislature serve staggered four-year terms, with the terms of  
16 one member appointed by the lieutenant governor and of one member  
17 appointed by the speaker expiring February 1 of each odd-numbered  
18 year. Members who are members of the legislature serve as ex  
19 officio members for two-year terms. If a member who is a member of  
20 the legislature ceases to be a member of the house from which the  
21 member was appointed, that membership position on the council  
22 becomes vacant. A member of the council who is absent for three  
23 consecutive meetings may be removed from the council.

24        (c) A member of the council may not receive compensation for  
25 service on the council but is entitled to reimbursement for actual  
26 and necessary expenses incurred in performing functions as a member  
27 of the council, subject to any applicable limitation on

1 reimbursement provided by the General Appropriations Act. An ex  
2 officio member of the council shall receive reimbursement for  
3 actual and necessary expenses under the rules of the member's  
4 office.

5 (d) The governor shall designate the chair of the council  
6 from among the members. The council shall meet at least quarterly,  
7 and at other times at the call of the chair or as provided by rule  
8 of the council.

9 (e) The department shall provide office space and other  
10 necessities to the council and shall provide staffing for the  
11 council at the request of the council. Other state agencies may  
12 provide staff assistance to the council at the request of the  
13 council.

14 Sec. 481.026. DUTIES OF LITERACY COUNCIL; INTERAGENCY WORK  
15 GROUP. (a) The Texas Literacy Council shall:

16 (1) advise the governor, the State Job Training  
17 Coordinating Council, the State Board of Education, the Texas  
18 Higher Education Coordinating Board, and any group interested in  
19 literacy on policy, planning, research, and program development;

20 (2) coordinate the development and maintenance of a  
21 literacy services delivery system;

22 (3) oversee the attainment of the state's literacy  
23 goals;

24 (4) build a partnership with the private sector in  
25 order to inform the objectives-setting process and to gain  
26 acceptance of the services of a functional literacy program;

27 (5) provide state leadership to encourage and support

1 local and statewide literacy efforts;

2 (6) advise the State Board of Education on needs,  
3 priorities, and standards of adult literacy education programs  
4 conducted in accordance with Section 11.18, Education Code;

5 (7) advocate the importance of literacy to ensure that  
6 all in need of assistance understand the benefits of increased  
7 functional literacy and to ensure that the necessary resources are  
8 available;

9 (8) make literacy instruction available to adults and  
10 out-of-school youth by ensuring that a comprehensive literacy  
11 instruction capacity is present in every Texas community;

12 (9) coordinate and improve local literacy instruction  
13 to ensure the most efficient and effective use of resources to meet  
14 adult education goals;

15 (10) identify state and local literacy programs and  
16 enter them in a directory for centralized referral and  
17 communication;

18 (11) continue oversight of literacy needs analysis;

19 (12) continue to develop an awareness campaign;

20 (13) develop a timetable and objectives for reaching  
21 the proposed goals and subgoals; and

22 (14) make recommendations to the governor, lieutenant  
23 governor, and speaker of the house of representatives or other  
24 state officials or organizations that it considers appropriate  
25 regarding the expenditure of funds and the administration of  
26 programs.

27 (b) An interagency work group is created to advise the

1 council. The advisory work group is composed of representatives  
2 from the Central Education Agency, Texas State Library and Archives  
3 Commission, Texas Higher Education Coordinating Board, Texas  
4 Employment Commission, Texas Department of Corrections, Texas  
5 Department of Human Services, Texas Rehabilitation Commission,  
6 Advisory Council for Technical Vocational Education, and State Job  
7 Training Coordinating Council.

8 (c) The council shall, with advice from the advisory work  
9 group, develop, adopt, and present to the 72nd Legislature a  
10 five-year strategic plan for comprehensive Texas literacy efforts.  
11 The plan must include:

12 (1) identification of all money from private, local,  
13 and federal sources available for investment in state and community  
14 literacy programs;

15 (2) proposals for acquiring local, state, and federal  
16 money identified in A Guide to Adult Literacy Funds and Resources  
17 to provide maximum support for state and community programs;

18 (3) proposals for coordination of state government  
19 resources, planning, and personnel among the agencies advising the  
20 council, to ensure, within budget constraints and consistent with  
21 existing missions, general access to state support services for  
22 community programs;

23 (4) identification of program shortages and gaps in  
24 service delivery, and proposals to establish a comprehensive  
25 service delivery system for all regions of the state and all target  
26 populations;

27 (5) an appropriate balance in recommended funding and

1 support services for both adult literacy training and early student  
2 intervention, to ensure development of a continuum of literacy  
3 training services targeted at family needs;

4 (6) a discussion of evaluation tools used to measure  
5 student and program performance, in order to assure policymakers of  
6 concrete achievements and accountability for public funds; and

7 (7) other items that should be included in the  
8 judgment of the council.

9 (d) The department may award literacy grants out of state,  
10 local, federal, and private money available to the department for  
11 that purpose. Grants shall be awarded under guidelines set by the  
12 council. The guidelines shall include a competitive request for  
13 proposal process, designed by the council with the assistance of  
14 its advisory work group. The process shall include criteria for  
15 evaluating the proposals.

16 (e) The council may establish a Texas literacy trust fund  
17 for the purpose of collecting private funds for distribution to  
18 community literacy programs. The fund must meet all applicable  
19 requirements under state and federal law necessary for  
20 qualification as a nonprofit trust. The fund, if established,  
21 shall be a separate fund kept and held in escrow and in trust by  
22 the state treasurer for and on behalf of the council as funds held  
23 outside the treasury under Section 404.073. Unless prohibited by  
24 other law, the state treasurer may invest and reinvest the money,  
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23 (6) prescribe and administer rules and regulations for  
24 teacher certification for adult education; and

25 (7) accept and administer grants, gifts, services, and  
26 funds from available sources for use in adult education.

27 SECTION 4. (a) In making initial appointments to the Texas

1 Literacy Council, as established by this Act, the governor shall  
 2 appoint three members to terms that expire on February 1, 1991,  
 3 three members to terms that expire on February 1, 1993, and three  
 4 members to terms that expire on February 1, 1995. The lieutenant  
 5 governor and the speaker of the house shall each appoint two ex  
 6 officio members and one other member to terms that expire on  
 7 February 1, 1991. The lieutenant governor and the speaker of the  
 8 house shall each appoint one other member for a term expiring  
 9 February 1, 1993.

10 (b) Each person who, on January 9, 1989, served as a member  
 11 of the Texas Literacy Council, as created by Senate Concurrent  
 12 Resolution 48, Acts of the 70th Legislature, Regular Session, 1987,  
 13 is entitled to serve as a temporary member of the Texas Literacy  
 14 Council, as established by this Act, until that person is replaced  
 15 by a new appointment or reappointed by the appropriate appointing  
 16 authority. In making each initial appointment under this Act, each  
 17 appointing authority shall state the length of the term under  
 18 Subsection (a) of this section and whether the appointment is a  
 19 reappointment of a temporary member, a replacement of a temporary  
 20 member, or an appointment to a vacant position.

21 (c) The validity of an action of the council is not affected  
 22 by the fact that it is taken while temporary members sit on the  
 23 council.

24 SECTION 5. The importance of this legislation and the  
 25 crowded condition of the calendars in both houses create an  
 26 emergency and an imperative public necessity that the  
 27 constitutional rule requiring bills to be read on three several



C.S.H.B. No. 1888

1 days in each house be suspended, and this rule is hereby suspended,  
2 and that this Act take effect and be in force from and after its  
3 passage, and it is so enacted.

4 71R7413 JRD-D

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

April 25, 1989

APR 25 REC'D

TO: Honorable Carl A. Parker, Chairman  
Committee on Education  
Senate Chamber  
Austin, Texas

In Re: House Bill No. 1888,  
as engrossed  
By: Colbert, et. al.

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 1888, as engrossed (relating to establishing the Texas Literacy Council as an advisory body in the department of commerce) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would establish the Texas Literacy Council as an adjunct to the Department of Commerce.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of Federal Funds</u>	<u>Change in Number of State Employees from FY 1989</u>
1990	\$250,000	+ 3
1991	250,000	+ 3
1992	250,000	+ 3
1993	250,000	+ 3
1994	250,000	+ 3

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Commerce;  
LBB Staff: JO, JWH, AL, PVT, PA

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

April 4, 1989

TO: Honorable Steven D. Wolens, Chair  
Committee on Business and Commerce  
House of Representatives  
Austin, Texas

In Re: Committee Substitute for  
House Bill No. 1888

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute for House Bill No. 1888 (relating to establishing the Texas Literacy Council as an advisory body in the department of commerce) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would establish the Texas Literacy Council as an adjunct to the Department of Commerce.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

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Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Commerce;  
LBB Staff: JO, JWH, AL, PVT, CKM

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

March 27, 1989

TO: Honorable Steven D. Wolens, Chair  
Committee on Business and Commerce  
House of Representatives  
Austin, Texas

In Re: House Bill No. 1888  
By: Colbert, et al.

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 1888 (relating to establishing the Texas Literacy Council as an advisory body in the department of commerce) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would establish the Texas Literacy Council as an adjunct to the Department of Commerce.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of Federal Funds</u>	<u>Change in Number of State Employees from FY 1989</u>
1990	\$250,000	+ 3
1991	250,000	+ 3
1992	250,000	+ 3
1993	250,000	+ 3
1994	250,000	+ 3

Similar annual costs would continue as long as the provisions for the bill are in effect.

No fiscal implication to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Commerce;  
LBB Staff: JO, JWH, AL, PVT, CKM

**ENROLLED**

H.B. No. 1888

AN ACT

relating to establishing the Texas Literacy Council as an advisory body in the department of commerce.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The legislature finds that:

(1) a skilled and literate work force is critically important to the welfare and economy of this state;

(2) one out of every five Texans lacks sufficient literacy skills to be successful in today's society;

(3) adult illiteracy presently costs the state more than \$17 billion each year through lost income, missed tax revenue, and the costs of welfare assistance, retraining programs, and crime and incarceration; and

(4) there is a critical need for a unified planning process and for a coordinating body appropriately located in state government to assist the diverse delivery systems in this area and to ensure that optimum use is made of public and private resources in this area.

SECTION 2. Subchapter B, Chapter 481, Government Code, as added by Senate Bill 223, Acts of the 71st Legislature, Regular Session, 1989, is amended by adding Sections 481.025 and 481.026 to read as follows:

Sec. 481.025. TEXAS LITERACY COUNCIL. (a) The Texas Literacy Council is established as an adjunct to the department.

1        (b) The council consists of 17 members. The governor  
2        appoints nine members. The lieutenant governor appoints four  
3        members, two of whom must be members of the senate. The speaker of  
4        the house of representatives appoints four members, two of whom  
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6        of business, industry, labor, education, organizations with  
7        expertise in literacy, and other areas of society with an interest  
8        in literacy. Members of the council who are not members of the  
9        legislature are officers of the public school system for purposes  
10       of Article VII, Section 16, of the Texas Constitution, as added in  
11       1928. Members appointed by the governor serve staggered six-year  
12       terms with the terms of three members expiring February 1 of each  
13       odd-numbered year. Members appointed by the lieutenant governor or  
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18       year. Members who are members of the legislature serve as ex  
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20       the legislature ceases to be a member of the house from which the  
21       member was appointed, that membership position on the council  
22       becomes vacant. A member of the council who is absent for three  
23       consecutive meetings may be removed from the council.

24       (c) A member of the council may not receive compensation for  
25       service on the council but is entitled to reimbursement for actual  
26       and necessary expenses incurred in performing functions as a member  
27       of the council, subject to any applicable limitation on

1 reimbursement provided by the General Appropriations Act. An ex  
2 officio member of the council shall receive reimbursement for  
3 actual and necessary expenses under the rules of the member's  
4 office.

5 (d) The governor shall designate the chair of the council  
6 from among the members. The council shall meet at least quarterly,  
7 and at other times at the call of the chair or as provided by rule  
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9 (e) The department shall provide office space and other  
10 necessities to the council and shall provide staffing for the  
11 council at the request of the council. Other state agencies may  
12 provide staff assistance to the council at the request of the  
13 council.

14 Sec. 481.026. DUTIES OF LITERACY COUNCIL; INTERAGENCY WORK  
15 GROUP. (a) The Texas Literacy Council shall:

16 (1) advise the governor, the State Job Training  
17 Coordinating Council, the State Board of Education, the Texas  
18 Higher Education Coordinating Board, and any group interested in  
19 literacy on policy, planning, research, and program development;

20 (2) coordinate the development and maintenance of a  
21 literacy services delivery system;

22 (3) oversee the attainment of the state's literacy  
23 goals;

24 (4) build a partnership with the private sector in  
25 order to inform the objectives-setting process and to gain  
26 acceptance of the services of a functional literacy program;

27 (5) provide state leadership to encourage and support

1 local and statewide literacy efforts;

2 (6) advise the State Board of Education on needs,  
3 priorities, and standards of adult literacy education programs  
4 conducted in accordance with Section 11.18, Education Code;

5 (7) advocate the importance of literacy to ensure that  
6 all in need of assistance understand the benefits of increased  
7 functional literacy and to ensure that the necessary resources are  
8 available;

9 (8) make literacy instruction available to adults and  
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14 adult education goals;

15 (10) identify state and local literacy programs and  
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23 governor, and speaker of the house of representatives or other  
24 state officials or organizations that it considers appropriate  
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27 (b) An interagency work group is created to advise the



1 council. The advisory work group is composed of representatives  
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26 populations;

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1 Literacy Council, as established by this Act, the governor shall  
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 3 three members to terms that expire on February 1, 1993, and three  
 4 members to terms that expire on February 1, 1995. The lieutenant  
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H.B. No. 1888

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2 and that this Act take effect and be in force from and after its  
3 passage, and it is so enacted.

H.B. No. 1888

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1888 was passed by the House on April 20, 1989, by the following vote: Yeas 141, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1888 on May 20, 1989, by the following vote: Yeas 120, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1888 was passed by the Senate, with amendments, on May 17, 1989, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 1888<sup>(1)</sup> was passed by the House on

April 20<sup>(2)</sup>, 1989, by the following vote:

Yeas 140<sup>(3)</sup>, Nays 0<sup>(4)</sup>, 1 present, not voting;

and that the House concurred in Senate amendments to H.B. No. 1888

on May 20<sup>(5)</sup>, 1989, by the following vote:

Yeas 120<sup>(6)</sup>, Nays 0<sup>(7)</sup>, 1 present, not voting.

\_\_\_\_\_  
Chief Clerk of the House

\*\*\*\* Preparation: 'A;CT12;

I certify that H.B. No. 1888<sup>(1)</sup> was passed by the Senate, with

amendments, on May 17<sup>(2)</sup>, 1989, by the

following vote: Yeas 31<sup>(3)</sup>, Nays 0<sup>(4)</sup>

\_\_\_\_\_  
Secretary of the Senate

APPROVED:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

\*\*\*\* Preparation: 'A;CT14;

H. B. No.

1888

A BILL TO BE ENTITLED

AN ACT

By

*Gausemeier*

relating to establishing the Texas Literacy Council as an advisory body in the department of commerce.

MAR 6 1989

1. Filed with the Chief Clerk.

MAR 16 1989

2. Read first time and Referred to Committee on

*Business + Commerce*

MAR 28 1989

3. Reported favorably ~~(as amended)~~ (as substituted) and sent to Printer at 3:45 pm

APR 5 1989

APR 5 1989

4. Printed and distributed at 10:26 pm

APR 6 1989

5. Sent to Committee on Calendars at L4C 2:59 pm

APR 20 1989

6. Read second time as subs. ~~(amended)~~; passed to third reading ~~(failed)~~ by (Non-Record Vote) ~~(Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting).~~

7. Motion to reconsider and table the vote by which H.B. \_\_\_\_\_ was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting.

APR 20 1989

9. Read third time ~~(amended)~~; finally passed ~~(failed)~~ by (Non-Record Vote) (Record Vote of 141 yeas, 0 nays, 1 present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. \_\_\_\_\_ was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

APR 20 1989

12. Ordered Engrossed at 12:01 pm

APR 20 1989

13. Engrossed.

APR 20 1989

14. Returned to Chief Clerk at 8:13 pm

APR 21 1989

15. Sent to Senate.

*Betty Munnery*  
Chief Clerk of the House

APR 21 1989

16. Received from the House

APR 24 1989

17. Read, referred to Committee on EDUCATION

18. Reported favorably

MAY 10 1989

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

21. Regular order of business suspended by

(a viva voce vote.)

(\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)



89 MAY 17 PM 8: 01  
HOUSE OF REPRESENTATIVES

22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

MAY 17 1989

23. Read second time Read before Senate passed to third reading by: (a viva voce vote.) \_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

24. Caption ordered amended to conform to body of bill.

MAY 17 1989

25. Senate and Constitutional 3-Day Rules suspended by vote of 30 yeas, 1 nays to place bill on third reading and final passage.

MAY 17 1989

26. Read third time and passed by

(a viva voce vote.)  
( 31 yeas, 0 nays.)

OTHER ACTION:

OTHER ACTION:

Buty King  
Secretary of the Senate

MAY 17 1989

27. Returned to the House.

MAY 17 1989

28. Received from the Senate (with amendments)  
(as substituted.)

MAY 20 1989

29. House (Concurred) (Referred to Committee) in Senate (Amendment) by a (Non-Record)  
(Record Vote of 120 yeas, 0 nays, 1 present, not voting).

30. Conference Committee Ordered.

MAY 20 1989

31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

32. Ordered Enrolled at 1:10 pm

HOUSE OF REPRESENTATIVES

89 APR 20 PM 9: 13

HOUSE OF REPRESENTATIVES

89 APR -5 PM 10: 26

8881